



Agenda Item Number: \_\_\_\_\_

## BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

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**Meeting Date:** January 25, 2005

**Department:** Zoning, Building and Planning **Staff Contact:** Enrico Gradi, Program Planner

**TITLE:** CONSENT: Special Use Permit for a Public Utility Facility (community water system) (CSU-40035)

### COUNTY PLANNING COMMISSION RECOMMENDATION:

Approval

### SUMMARY:

At the December 1, 2004 public hearing, the County Planning Commission voted 5-0 (Commissioners Holcomb and Montano excused) to recommend approval of a Special Use Permit for a Public Utility Facility (community water system) on the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 19 T9N R2E, located approximately 1,400 feet from the stop sign at the end of the pavement on Pajarito Road, zoned A-1, containing approximately 10 acres. The decision was based on six (6) Findings and subject to the following sixteen (16) Conditions:

#### Findings:

1. This is a Special Use Permit for a Public Utility Facility (community water system) on the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 19 T9N R2E, located approximately 1,400 feet from the stop sign at the end of the pavement on Pajarito Road, zoned A-1, containing approximately 10 acres.
2. This request is addressed by Resolution 116-86 in that it is defined as a land use issue and does not infer or imply approval of any issues relative to water quality or quantity. Issues of water quality and quantity shall be regulated by New Mexico Office of the State Engineer and the State Environment Department.
3. This request is consistent with Resolution 116-86 in that the Goal of Human Services section of the Comprehensive Plan is to site human services facilities in locations that provide the greatest possible access to services, and to consider human rights and human services needs in development and redevelopment through the plan area.
4. The property is within the Residential Area one as designated by the Southwest Area Plan.
5. The property is within the Reserve Area as designated by the Albuquerque/Bernalillo County Comprehensive Plan.
6. This request is consistent with the health, safety and general welfare of the residents of the County.

Conditions:

1. A membership list for the Pajarito Mesa Mutual Domestic Water Consumer Association, which identifies property number and location, shall be submitted to the Bernalillo County Office of Environmental Health for review and verification within 60 days of final approval by the Board of County Commissioners. New membership shall be approved after the 60-day period only if the applicant provides written evidence of compliance with all applicable Bernalillo County codes and regulations.
2. The applicant shall comply with all regulations of the New Mexico Office of the State Engineer, the State Environment Department and the State of New Mexico, Drinking Water Bureau requirements for Public Water Supply Systems. Verification shall be provided of all documents indicating compliance to the Zoning, Building, Planning and Environmental Health Department.
3. The Pajarito Mesa Mutual Domestic Water Consumer Association shall submit a copy of its by-laws and/or rules and regulations to the Zoning, Building, Planning and Environmental Health Department within 90 days of final approval by the Board of County Commissioners.
4. The applicant shall comply with Air Quality Board Regulation No. 103 (20 NMAC 11.103, Motor Vehicle Visible Emissions). This regulation ensures that visible emissions are kept within limits during a 10-minute start up period. Engines must be maintained in a condition to comply with these requirements by installing engine warmers to reduce start up time period.
5. Any lighting shall be site specific. Shielded or cutoff fixtures shall be provided so that no fugitive light crosses to adjacent lots. Outdoor light poles shall not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet above existing grade.
6. The applicant shall submit a copy of a well permit from the Office of the State Engineer (OSE) for a community well to the Bernalillo County Office of Environmental Health prior to construction of the well.
7. A copy of the mutual domestic by-laws as they pertain to all association participants shall be submitted to the Bernalillo County Office of Environmental Health. A copy shall be submitted to the Zoning, Building, Planning and Environmental Health Department.
8. The applicant shall submit a Grading and Drainage plan for review and approval to the Public Works Division prior to development of this property. A copy of the approval shall be submitted to the Zoning, Building, Planning, and Environmental Health Department.
9. The applicant shall provide to the Public Works Division and Zoning, Building, Planning and Environmental Health Department documentation of access and utility easements or Right-of-Way for the extension of Pajarito Road prior to development.
10. In the event of future residential uses are developed adjacent to the subject site, a solid fence at least six feet high shall be erected within 120 days from the date of residential construction on all sides abutting any residential uses. In addition, a six (6) foot landscape buffer shall be located parallel to the inside face of the wall and shall have a mixture of shade trees and evergreen trees to provide buffering at a minimum of twenty-five (25) feet on center.

11. The applicant shall replat or subdivide the subject site in order to create a legal lot of record. The subdivision procedures shall be completed within 120 days of final Board of County Commissioners approval.
12. The applicant shall provide a solid cement and/or bituminous material to cover the ground in areas used for vehicle and equipment storage in order to prevent dust and maintain air quality for the surrounding area.
13. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
14. The Special Use Permit shall be issued for ten (10) years
15. A revised site development plan consistent with the Conditions of approval shall be submitted for review to the Zoning Administrator within two months after the final Board of County Commissioners approval.
16. The foregoing Conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the rights and privileges authorized by this Special Use Permit.

**ATTACHMENTS:**

1. County Planning Commission Notice of Decision Letter (December 3, 2004).
2. County Planning Commission Information Packet.
3. Site Plan (Commissioners Only).

**STAFF ANALYSIS SUMMARY**

**ZONING, BUILDING & PLANNING DEPARTMENT:**

Staff Recommends Approval